

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>JOHN TC YEH,</b>	:	<b>No. 3:18cv943</b>
<b>Plaintiff</b>	:	<b>(Judge Munley)</b>
<b>v.</b>	:	<b>(Magistrate Judge Carlson)</b>
<b>UNITED STATES BUREAU OF PRISONS; HUGH J. HURWITZ, Director of the BOP; J. RAY ORMOND, Regional Director of the BOP, Northeast Region; SCOTT FINLEY, Warden of FCI Schuylkill, Defendants</b>	:	

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**ORDER**

**AND NOW**, to wit, this 6th day of August 2019, it is hereby **ORDERED** as follows:

- 1) The report and recommendation of Magistrate Judge Carlson (Doc. 78) is **ADOPTED** in part and **NOT ADOPTED** in part;
- 2) The report and recommendation is adopted insofar as the defendants' motion for judgment on the pleadings (Doc. 59) is **DENIED** with respect to whether the plaintiff has a cause of action under the Rehabilitation Act;
- 3) The report and recommendation is not adopted insofar as the defendants' motion for judgment on the pleadings (Doc. 59) is **GRANTED** with respect to mootness;

- 4) The Clerk of Court is directed to enter judgment in favor of the defendants and against the plaintiff; and
- 5) The Clerk of Court is directed to close this case.

**BY THE COURT:**

s/ James M. Munley  
**JUDGE JAMES M. MUNLEY**  
**United States District Judge**